

# News from the FPPC

California Fair Political Practices Commission  
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For Immediate Release: November 14, 2006  
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## **FPPC Enforcement Decisions: November 14, 2006**

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held in Sacramento on Tuesday, November 14, 2006. Decisions are divided by category and include a brief summary of each case and the total amount of any administrative fine or fines in each case.

Additional information on each of the enforcement cases below can be found in the November agenda on the FPPC website at <http://www.fppc.ca.gov>. FPPC agendas are distributed and posted on the agency website 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission and by the individuals and organizations subject to the fines, or the default decisions proposed to the commission. Exhibits in support of the stipulations and proposed default decisions are also available on the website. If you are unable to access the FPPC website, or need further assistance, please call the FPPC communications office at (916) 322-7761.

### **Campaign Reporting Violations-Proposed Default Decision and Order**

**In the Matter of Maribel De La Torre and Families for Maribel De La Torre, FPPC No. 02/408.** Staff: Commission Counsel Margaret Figeroide. Respondent Maribel De La Torre was a successful candidate for the San Fernando City Council in the 2001 and 2005 elections, and Respondent Families for Maribel De La Torre was her controlled committee. A proposed default decision and order alleged that respondents failed to timely file semi-annual campaign statements in violation of Government Code section 84200, subdivision (a) (6 counts); failed to disclose required contributor information, in violation of Government Code section 84211, subdivision (f) (2 counts); failed to disclose required expenditure information, in violation of Government Code section

84211, subdivision (k) (1 count); and failed to file a statement of intention to be a candidate, in violation of Government Code section 85200 (1 count). The commission voted to send the matter to a hearing before an administrative law judge.

### **Campaign Reporting Violations and Contribution Limit Violations**

**In the Matter of Mark Leno, Leno 2004, and James Nickoff; FPPC No. 05/662.** Staff: Commission Counsel Galena West and Investigator Antonio Becerra. Respondent Mark Leno is a member of the California State Assembly. Respondent Leno 2004 was Respondent Mark Leno's controlled committee, and Respondent James Nickoff served as its treasurer. In this matter, Respondents failed to timely disclose late contributions in a late contribution report, in violation of section 84203, subdivision (a) of the Government Code (3 counts), and accepted a contribution in excess of the \$3,200 contribution limit in connection with the March 2, 2004, State Assembly general election, in violation of section 85301, subdivision (a) of the Government Code (1 count). \$6,000 fine.

### **Late Contribution Reporting Violations**

**In the Matter of Southern Wine & Spirits of California, Inc., FPPC No. 05/145.** Staff: Senior Commission Counsel Melodee A. Mathay. Respondent Southern Wine & Spirits of California, Inc., a California corporation located in Union City, was the largest wine and spirits distributor in California. In 2004, Respondent qualified as a major donor committee. During the late contribution reporting period prior to the March 2, 2004 primary election, Respondent made late contributions totaling \$82,000, but failed to timely file late contribution reports in paper format, in violation of Government Code section 84203, subdivision (a) (4 counts), and failed to timely file a late contribution report electronically, in violation of Government Code section 84605, subdivision (a) (1 count). \$20,000 fine.

### **Major Donor Reporting Violations**

**In the Matter of James Tong and Charter Properties, FPPC No. 06/615.** Staff: Chief of Enforcement William L. Williams, Jr., and Political Reform Consultant Jeanette Turvill. Respondents James Tong and Charter Properties qualified as a major donor committee in the first six months of 2002, 2004 and in the second six months of 2005. Respondent failed to file eight semi-annual campaign statements for those periods of time, in violation of Government Code section 84200, subdivision (b) (5 counts) and section 84605, subdivision (a) (3 counts). \$26,000 fine.

### **Major Donor – Streamlined Program**

**Failure to Timely File Major Donor Campaign Statements.** Staff: Chief Investigator Sue Straine and Political Reform Consultant Mary Ann Kvasager. The following persons and entities have entered into a stipulation for failing to file major donor campaign statements that were due during calendar years 2002, 2003, 2004, 2005, and 2006 in violation of Government Code Section 84200:

- **In the Matter of Anshen + Allen Architects Los Angeles, Inc., FPPC No. 06-0560.** Anshen + Allen Architects Los Angeles, Inc., located in Los Angeles, failed to timely file a semi-annual campaign statement disclosing contributions totaling \$43,500 in 2004 (1 count). \$400 fine.
- **In the Matter of Valley Radiology Consultants Medical Group Inc., FPPC No. 06-0563.** Valley Radiology Consultants Medical Group Inc. of Escondido failed to timely file a semi-annual campaign statement disclosing contributions totaling \$50,000.00 in 2004 (1 count). \$900 fine.
- **In the Matter of Anesthesia Consultants of California Medical Group, Inc., FPPC No. 06-0565** Anesthesia Consultants of California Medical Group, Inc., of Escondido failed to timely file a semi-annual campaign statement disclosing contributions totaling \$50,000 in 2004 (1 count). \$900 fine.
- **In the Matter of C. Michael Alder, FPPC No. 06-0609.** C. Michael Alder of Encino failed to timely file semi-annual campaign statements disclosing contributions totaling \$22,450 in 2004 and \$11,374 in 2005 (4 counts). \$1,870.74 fine.
- **In the Matter of Wendy's of the Pacific, Inc., FPPC No. 06-0693.** Wendy's of the Pacific, Inc., located in Modesto, failed to timely file a semi-annual campaign statement disclosing contributions totaling \$10,000 in 2004 (1 count). \$400 fine.
- **In the Matter of Geweke Automotive Group, Inc., FPPC No. 06-0820.** Geweke Automotive Group, Inc. of Lodi failed to timely file a semi-annual campaign statement disclosing contributions totaling \$25,800 in 2003 (1 count). \$400 fine.
- **In the Matter of Houghton Mifflin Company, FPPC No. 06-0822.** Houghton Mifflin Company of Boston, Massachusetts failed to timely file semi-annual campaign statements disclosing contributions totaling \$55,000 in 2002, \$30,000 in 2003, \$30,000 in 2004 and \$30,000 in 2006 (5 counts). \$2,000 fine.

#### **Late Contribution – Streamlined Program**

**Failure to Timely File Late Contribution Reports – Proactive Program.** Staff: Chief Investigator Sue Straine and Political Reform Consultant Mary Ann Kvasager. The following entity has entered into a stipulation for failure to file a late contribution report in 2004 in violation of Government Code Section 84203:

- **In the Matter of Singler-Ernster, Inc. dba Round Table Pizza, FPPC No. 06-0628.** Singler-Ernster, Inc. dba Round Table Pizza of Sebastopol failed to timely disclose a late contribution totaling \$10,000 (1 count). \$1,500 fine.

**Statements of Economic Interest Reporting Violations**

**In the Matter of Abraham Magana, FPPC No. 06/573.** Staff: Political Reform Consultant Jeanette Turvill. Abraham Magana, City of Salinas Planning Commissioner failed to timely file a 2005 annual statement of economic interests in violation of Government Code section 87203 (1 count). \$100 fine.

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